

**SUPREME COURT MINUTES  
MONDAY, AUGUST 31, 2009  
SAN FRANCISCO, CALIFORNIA**

**S147980**      F048767 Fifth Appellate District

**PEOPLE v. BROOKFIELD  
(BYRON JEROME)**

Opinion filed: Judgment affirmed in full

The trial court erred in sentencing defendant to *both* the life term under section 186.22(b)(4) and the 10-year sentence enhancement under subdivisions (b) and (e)(1) of section 12022.53. The Court of Appeal was correct in ordering the 10-year sentence enhancement stricken, but it was incorrect in its reason for doing so (see pp. 7-8, *ante*): that defendant had not committed a “felony punishable by ... imprisonment in the state prison for life” (§ 12022.53, subd. (a)(17)). Because the Court of Appeal’s disposition was correct, we affirm its judgment.

Majority Opinion by Kennard, J.

-- joined by George, C. J., Werdegarr, Chin, Moreno, Corrigan, JJ., and Perluss, J.\*

\*Presiding Justice of the Court of Appeal, Second Appellate District, Division Seven, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.

**S148463**      F047448 Fifth Appellate District

**PEOPLE v. JONES (DANIEL  
LAQUINN)**

Opinion filed: Judgment affirmed in full

The Judgment of the Court of Appeal is affirmed.

Majority Opinion by Kennard, J.

-- joined by George, C. J., Chin, Moreno, Corrigan, JJ., and Perluss, J.\*

Concurring Opinion by Werdegarr, J.

\*Presiding Justice of the Court of Appeal, Second Appellate District, Division Seven, assigned by the Chief Justice pursuant to article VI, section 6 of the California Constitution.